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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,742	12/28/2000	Joseph W. Cole	COLEP.0006P	7208

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EXAMINER

COBURN, CORBETT B

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/750,742

Applicant(s)

COLE ET AL.

Examiner

Corbett B. Coburn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 47-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 47 & 49-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Luciano, Jr. et al. (US Patent Number 6,050,895).

**Claim 47:** Luciano teaches a game station with a base unit having a first side and an opposing second side, and a first end and a second end. (Fig 1B) The base unit defining at said first side a player station for use by a single player generally facing said first side of said base unit. The base unit includes a base portion and a console extending upwardly from the base portion. The base portion and console are positioned between the first end and the second ends of the base unit. The console includes a first face corresponding to the first side of said base unit. Luciano teaches a first and a second electronically controlled video display (105a & b) at the first face of said console. The first and second electronically controlled video displays are positioned sufficiently proximate to one another to be viewed at the same time by the single player of the first station – a player can clearly see both screens. There is a first game controller (706) adapted to present first wagering game information on the first display in response to the

wager placed by the player. There is a second game controller (710) adapted to present second wagering game information on the second video display in response to the wager placed by the player, whereby the player may concurrently view said first and second wagering game information presented on said first video display and said second video display. There is at least one wager-accepting device (106) at the game station adapted to accept a wager placed by a player of the player station. There is at least one input device permitting the player to provide input to the game station affecting the first and second gaming information presented to the player by the first and second display. Luciano teaches that the screens may be touch screens. (Col 3, 19)

**Claim 49:** Luciano teaches a master controller (512) that is configured to control the first and second game controllers. Each gaming terminal (100a & b) is disclosed as being the same as that depicted in Fig 1. Each gaming terminal then has a first and second controller (Fig 1b) that is controlled by the controller (512). (See Fig 5 & Col 11, 27 – Col 12, 8.)

**Claim 50:** Luciano's base portion is generally upwardly extending and defines a first vertical surface. Fig 1b shows that the game controllers are mounted on the respective vertical surfaces extending upwardly from the base.

**Claim 51:** Luciano teaches a housing located between the console (where the screen is located) and the second end. There is a first and second wager accepting device (106 & 108) in the housing.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano as applied to claim 47 above, and further in view of Takemoto.

**Claim 48:** Luciano teaches the invention substantially as claimed. Luciano does not specifically teach placing two gaming units back to back. This configuration is **EXTREMELY** common in casinos because it allows casinos to make the best use of available floor space. Takemoto teaches a base unit defines at said second side a second player station for use by another single player generally facing said second side of said base unit, said console having a second face corresponding to said second side of said console, and including a third and a fourth electronically controlled video display at said console, said third and fourth electronically controlled video displays positioned sufficiently proximate to one another to be viewed at the same time by the single player of said second station; a third game controller adapted to present third wagering game information on said third display and a fourth game controller adapted to present fourth wagering game information on said fourth video display, whereby said player may concurrently view said third and fourth wagering game information presented on said third video display and said fourth video display; and at least one second wager accepting device at said game station adapted to accept a wager placed by a player of said second

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player station – Fig 9 shows that the two sides are identical. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Luciano in view of Takemoto (and standard industry practice) to place the gaming machines back-to-back in order to allow casinos to make the most efficient use of floor space.

5. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano as applied to claim 47 above, and further in view of Lucero (US Patent Number 5,457,306).

**Claim 52:** Luciano teaches the invention substantially as claimed, but fails to teach a keypad mounted between the displays on each face of the console. Lucero teaches a keypad mounted on a slot machine cabinet that allows the player to use a general-purpose charge card to wager on the game. This allows a player who does not have a house card to play without going through the procedure for getting one. (Col 1, 67 – Col 2, 8) This flexibility increases the likelihood of players betting. It would have been obvious to one of ordinary skill in the art at the time of the invention to have mounted a keypad in the slot machine cabinet (i.e., on the face of the console) in order to allow a player who does not have a house card to play without going through the procedure for getting one, thus providing flexibility that increases the likelihood of players betting. Regarding the placement of the keypad on the face of the console, placing the keypad between the two displays would facilitate use of the keypad with either or both of the displays. This would increase player convenience. It would have been obvious to one of ordinary skill in the art at the time of the invention to have placed the keypad between the two displays in order to facilitate use of the keypad with either or both of the displays, thus increasing player convenience.

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6. Claims 53, 55 & 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano in view of Walker (US Patent Number 6,113,495).

**Claim 53 & 55:** Luciano teaches the invention substantially as claimed but does not teach a non-game video feed to the first or second display such that the player may see the video feed on one of the same displays presenting the first and second game information. Walker teaches displaying all game information and a non-game video feed (i.e., television programming) on a single display. Video display area (346) displays video feed and slot machine reels. (Col 7, 17-49) Walker teaches that displaying video enhances player retention. (Title) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Luciano in view of Walker to include a non-game video feed to the first or second display such that the player may see the video feed on one of the same displays presenting the first and second game information in order to enhance player retention.

**Claim 56:** Walker teaches a gaming machine with two video screens (362 & 346). The video feed may be displayed on either device. Player interface (370) is used to select the desired video and must be used to determine which display the video is played on since the video is not played on both displays.

7. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luciano and Walker as applied to claim 53 above, and further in view of Takemoto.

**Claim 48:** Luciano and Walker teach the invention substantially as claimed. Luciano and Walker do not specifically teach placing two gaming units back to back. This configuration is **EXTREMELY** common in casinos because it allows casinos to make the

best use of available floor space. Takemoto teaches a base unit defines at said second side a second player station for use by another single player generally facing said second side of said base unit, said console having a second face corresponding to said second side of said console, and including a third and a fourth electronically controlled video display at said console, said third and fourth electronically controlled video displays positioned sufficiently proximate to one another to be viewed at the same time by the single player of said second station; a third game controller adapted to present third wagering game information on said third display and a fourth game controller adapted to present fourth wagering game information on said fourth video display, whereby said player may concurrently view said third and fourth wagering game information presented on said third video display and said fourth video display; and at least one second wager accepting device at said game station adapted to accept a wager placed by a player of said second player station – Fig 9 shows that the two sides are identical. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Luciano and Walker in view of Takemoto (and standard industry practice) to place the gaming machines back-to-back in order to allow casinos to make the most efficient use of floor space.

#### ***Response to Arguments***

8. Applicant's arguments with respect to claims 47-56 have been considered but are moot in view of the new ground(s) of rejection.



*Conclusion*

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. This is an RCE of applicant's earlier Application No. 09/750,742. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

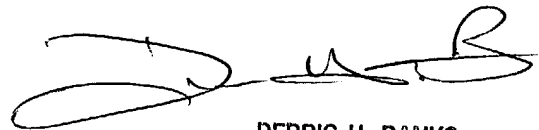
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cbc



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